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**Fax**

<b>To:</b>	Commissioner for Patents	<b>From:</b>	Jill L. Woodburn
<b>Fax:</b>	571-273-8300	<b>Pages:</b>	13
<b>Phone:</b>		<b>Date:</b>	October 25, 2005
<b>Re:</b>	10/518,968	<b>CC:</b>	

Applicants: Frey et al.  
Serial No.: 10/518,968  
Filed: 12-21-2004  
Entitled: Automatic Differentiation of a Sample Solution and a Control Solution  
Group: 1743  
Ref. No.: WP 21303 US

## Attachments:

- Transmittal Form (1pp)
- Fee Transmittal (1pp) (Duplicate)
- Response To Anticipated Notice Of Missing Parts Of Nonprovisional Application (1pp) (Duplicate)
- Copy of Filing Receipt (3pp)
- Executed Declaration and Power of Attorney for Utility Patent Application (4pp)
- Fax Transmittal Sheet (1pp)

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OIPE/IAP

OCT 25 2005

PTO/SB/21 (09-04)

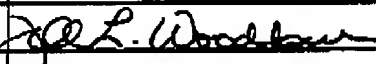
Approved for use through 07/31/2006. OMB 0851-0031


U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/518,968	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b>  <b>OCT 25 2005</b>
	Filing Date	12-21-2004	
	First Named Inventor	Frey	
	Art Unit	1743	
	Examiner Name		
Total Number of Pages in This Submission	13	Attorney Docket Number	WP 21303 US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Filing Receipt (3pp) Declaration and Power of Attorney (4pp) Fax Transmittal (1pp)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	The Law Office of Jill L. Woodburn, LLC		
Signature			
Printed name	Jill L. Woodburn		
Date	October 25, 2005	Reg. No.	39874

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Typed or printed name	Jill L. Woodburn
Date	10-25-2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**OCT 25 2005**

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# **FEE TRANSMITTAL**

## **For FY 2005**

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 130.00

### **Complete if Known**

Application Number	10/518,968
Filing Date	12-21-2004
First Named Inventor	FREY
Examiner Name	
Art Unit	1743
Attorney Docket No.	RDID 21303 US

### **METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number 02-2958 Deposit Account Name: Roche Diagnostics Operations, Inc.  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### **FEE CALCULATION**

#### **1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### **2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

#### **3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### **4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount) Fees Paid (\$)  
 Other (e.g., late filing surcharge): late filing declaration surcharge 130.00

#### **SUBMITTED BY**

Signature <u>J. L. Woodburn</u>	Registration No. <u>39874</u>	Telephone <u>219-764-4005</u>
Name (Print/Type) <u>J. L. Woodburn</u>	Date <u>10-25-2005</u>	

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. WP 21303 US

OCT 25 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: FREY et al.

Application No.: 10/518,968

Group No.: 1743

Filed: 12-21-2004

Examiner: Unknown

For: Automatic Differentiation of a Sample Solution and a Control Solution

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450RESPONSE TO ANTICIPATED NOTICE OF MISSING PARTS OF  
NONPROVISIONAL APPLICATION

Sir:

A Filing Receipt and Notice of Acceptance of Application were sent for the above-identified application on July 15, 2005, a copy of which is attached. The above-identified application, however, was filed without the executed Declaration and Power of Attorney. As such, submitted herewith is a signed Declaration and Power of Attorney for Utility Application.

Since no Notice of Missing Parts was sent, no extension of time fees are believed to be due at this time. It is respectfully requested that if necessary, however, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and all fees be charged to Deposit Account No. 02-2958 with reference to (WP 21303 US). A duplicate copy of this response is enclosed for that purpose.


10/26/2005 TBESHAH1 00000061 022958 10518968

01 FC:1051

130.00 DA

October 25, 2005

Date

JLW  
Ogden Dunes, IN  
ph: 219-764-4005  
fax: 219-764-4070Respectfully submitted,  
The Law Office of Jill L. Woodburn, L.L.C.  
Jill L. Woodburn  
Registration No. 39,874

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OCT 25 2005

PATENT

Docket No. WP 21303 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: FREY et al.

Application No.: 10/518,968

Group No.: 1743

Filed: 12-21-2004

Examiner: Unknown

For: Automatic Differentiation of a Sample Solution and a Control Solution

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


RESPONSE TO ANTICIPATED NOTICE OF MISSING PARTS OF  
NONPROVISIONAL APPLICATION

Sir:

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Respectfully submitted,  
The Law Office of Jill L. Woodburn, L.L.C.

  
Jill L. Woodburn  
Registration No. 39,874

October 25, 2005  
Date

JLW  
Ogden Dunes, IN  
ph: 219-764-4005  
fax: 219-764-4070

WR 21303 US

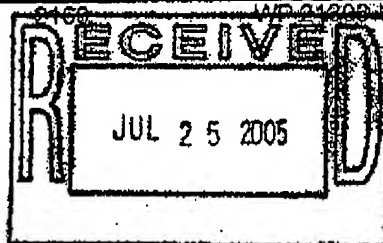


## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/518,968	12/21/2004	1743		WP 21203 US	1	18	1

23690  
Roche Diagnostics Corporation  
9115 Hague Road  
PO Box 50457  
Indianapolis, IN 46250-0457



CONFIRMATION NO. 3000

## FILING RECEIPT



\*OC000000016515009\*

Date Mailed: 07/15/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Gunter Frey, Ellerstadt, GERMANY;  
Carina Horn, Alsbach-Haehnlein, GERMANY;  
Otto Gaa, Worms, GERMANY;  
Hans Kintzig, Tiefenthal, GERMANY;  
Hans-Ruediger Murawski, Lampertheim, GERMANY;

Power of Attorney: The patent practitioners associated with Customer Number 23690.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/06813 06/24/2003

## Foreign Applications

GERMANY 102 29 314.7 06/29/2002

Projected Publication Date: 10/20/2005

Non-Publication Request: No

Early Publication Request: No

ENTERED

**Title**

Automatic differentiation of a sample solution and a control solution

**Preliminary Class**

436

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

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Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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